



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	<b>Board of Pilot Commissioners</b>
MEETING DATE AND TIME:	<b>Monday, May 14, 2012 at 10:00 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED:	

**MEMBERS PRESENT**

Troy Selph, Professional Member, President  
Joseph Morrissey, Professional Member  
Richard Cordrey, Public Member  
Bradford Schell, Professional Member  
Thomas Cook, Public Member  
David Brady, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Eileen Heeney, Deputy Attorney General  
Barbara Gadbois, Deputy Attorney General for the State  
Kellie Walsh, Deputy Attorney General for the State  
Jennifer Witte, Administrative Specialist II  
William Smith, Investigator

**MEMBERS ABSENT**

Mark Murphy, Public Member

**OTHER MEMBERS PRESENT**

Jeffrey Moller, Esquire  
Archie Lingo  
J. Stuart Griffin

**CALL TO ORDER**

Mr. Cordrey called the meeting to order at 12:04 p.m.

**NEW BUSINESS**

With respect to agenda item 4.1.1, the disciplinary hearing in Case No. 03-01-12, counsel for the State, Barbara Gadbois, Deputy Attorney General, and counsel for Respondent, Jeffrey Moller, Esquire, asked to address a preliminary matter before the Board. Counsel further

requested that the Board contact person, Mr. Morrissey, and all potential witnesses be sequestered during discussion of this preliminary matter. Counsel indicated that Mr. Selph, Board president, might be a witness. Pursuant to counsel's request, the specified individuals left the conference room.

Counsel then asked the Board to reconsider the Consent Agreement in this case, which had previously been reviewed and rejected by the Board. Counsel made presentations to the Board as to why this Consent represented an appropriate outcome and served to protect the interests of the public. This presentation was made off the record. The Board deliberated on the Consent and determined that the Consent as presented was acceptable, with the amendment of a fine in the amount of \$1,000.

The matter then went on the record. Ms. Gadbois advised that there was an amended Consent Agreement presented to the Board. It best serves the interests of the public and prohibits Mr. Lingo from piloting. On behalf of Mr. Lingo, Mr. Moller stated that Mr. Lingo will carry out the terms of the Consent Agreement and understands that a violation will result in permanent revocation of his license. After review, a motion was made by Mr. Cook, seconded by Mr. Brady, to accept the amended Consent Agreement. The motion was carried by Mr. Cordrey and Mr. Schell. Mr. Selph and Mr. Morrissey were both recused.

#### **REVIEW AND APPROVAL OF MINUTES**

A motion was made by Mr. Cordrey, seconded by Mr. Cook, to approve the Executive Session minutes from March 30, 2012. The motion unanimously carried.

A motion was made by Mr. Cook, seconded by Mr. Cordrey, to approve the minutes from the March 30, 2012 meeting. The motion unanimously carried.

#### **EXECUTIVE SESSION**

The Board went into Executive Session at 12:41 p.m. As indicated on the agenda, the purpose of the executive session was to discuss medical submissions by a licensee in a non-disciplinary matter, pursuant to 29 Del. C. §10002(g)(1), and to review compliance with non-disciplinary remediation conditions in the same matter, pursuant to 23 Del. C. §118(b).

The Board came out of Executive Session at 12:45 p.m.

#### **ADJOURNMENT**

A motion was made by Mr. Cordrey, seconded by Mr. Cook, to adjourn the meeting. The motion unanimously carried. The meeting adjourned at 12:50 p.m.

#### **NEXT MEETING**

The next meeting will be Friday, June 8, 2012 at 10:00 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist II